

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : RAMAKRISHNA, Venkata Satya Nirogi et al.  
Appl. No. : 10/536,618  
Filed : April 11, 2006  
Title : N-arylsulfonyl-3-Substituted Indoles Having Serotonin Receptor  
Affinity, Process for Their Preparation and Pharmaceutical  
Composition Containing Them  
Grp. Art Unit : 1624  
Examiner : Ebenezer Sackey  
Atty. Docket No. : SUB 0006 US  
Confirmation No. : 9138

**Certification under 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being transmitted by uploading on the USPTO E-file system (e-file registered user) to the United States Patent and Trademark Office website, to the attention of and addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 29, 2010.

  
Valerie Neymeyer-Tynkov – Reg. No. 46956

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Commissioner for Patents  
**Mailstop Amendment**  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INTERVIEW SUMMARY AND AMENDMENT**

Dear Sir:

Please submit the following information in the present application. No fees are believed to be due at this time, however, payment of any fees deemed as due is authorized as indicated above.

**Interview Summary** begins on Page 2 of this paper.

**Remarks** begin on Page 3 of this paper.

### **INTERVIEW SUMMARY**

The following is to summarize telephone interviews occurring between Examiner Ebenezar Sackey, of record in this application, and Mrs. Valerie Neymeyer-Tynkov, the undersigned representative. In the event that the Examiner's recollection differs from the below, the Examiner is invited to contact Mrs. Neymeyer-Tynkov to discuss.

On September 17, 2010, at the Examiner's request, Examiner Sackey and Mrs. Neymeyer-Tynkov discussed this application by telephone. Examiner Sackey advised that the terms "polymorph" and "prophylaxis" in the present claims are unpatentable under 35 U.S.C. 112, and suggested deleting these terms from the claims.

Mrs. Neymeyer-Tynkov asked whether the application will proceed to allowance if these amendments are made, or whether the claims still need to be evaluated for novelty and non-obviousness in view of the prior art. The Examiner advised that, as of his most recent prior art search, he has no rejections to make with regard to novelty or obviousness, and that he would expect to issue a Notice of Allowance in this application if the claims are amended in keeping with his suggestion.

Mrs. Neymeyer-Tynkov generally noted that several other terms were previously removed from the claims to accommodate concerns under 35 U.S.C. 112, and that the terms under discussion are routinely allowed in U.S. claims. For instance, "prophylaxis" methods are frequently allowed alone or in conjunction with methods of treatment. The Examiner maintained that in the present application, these claim terms are not acceptable under 35 U.S.C. 112 in view of current USPTO practice.

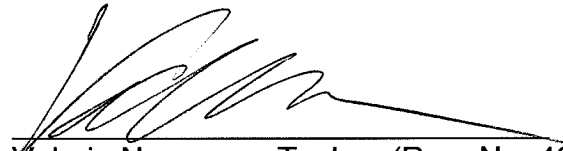
On September 23, 2010, Mrs. Neymeyer-Tynkov advised Examiner Sackey by telephone that the terms "polymorph" and "prophylaxis" may be removed from the pending claims. Examiner Sackey kindly offered to amend the claims via an Examiner's Amendment. Mrs. Neymeyer-Tynkov accepted, noting that "polymorph" occurs in claims 1, 2, and 3, and "prophylaxis" in claims 34 and 35. Examiner Sackey indicated that he expected to issue a Notice of Allowance in the near future in this application.

Applicant and Mrs. Neymeyer-Tynkov thank the Examiner for his comments, time and effort in this application.

**REMARKS**

It is noted for the record that the amendments discussed in the above Interview Summary are intended to be made without prejudice.

Respectfully submitted,



Valerie Neymeyer-Tynkov (Reg. No. 46956)  
Attorney for Applicant  
IpHorgan Ltd.  
1130 Lake Cook Road, Suite 240  
Buffalo Grove, IL 60089  
Tel: 847-808-5500  
Fax: 847-808-7238  
Email: [mail@iphorgan.net](mailto:mail@iphorgan.net)

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